

CITY COUNCIL, CITY OF LODI  
CITY HALL COUNCIL CHAMBERS  
JUNE 15, 1966

A regular meeting of the City Council of the City of Lodi was held beginning at 8:00 p.m. of Wednesday, June 15, 1966, in the City Hall Council Chambers.

ROLL CALL

Present: Councilmen - BROWN, CULBERTSON, HUNNELL,  
and WALTON (Mayor)

Absent: Councilmen - KIRSTEN

Also present were City Manager Graves, City Attorney Mullen, Administrative Assistant Peterson and Planning Director Schroeder.

MINUTES

Minutes of June 1, 1966 were approved as written and mailed on motion of Councilman Brown, Culbertson second, after making the following corrections: Change the number "1851" to "1581" in the third paragraph and title thereof on page 2 and add the following sentence to the third paragraph on page 6: "However, members of the Council were in agreement that a warning citation should be issued for violations of the Encroachment Ordinance."

PUBLIC SALE OF HOUSES

23 AND 27  
N. CHURCH ST.

Mayor Walton announced that the houses at 23 and 27 North Church Street had been advertised for sale with bids to be received at this time. There were no written bids. For the benefit of any bidders present, the Mayor read one of the notices to bidders which set forth the conditions of the sale and removal. He then asked for bids on the house at 27 North Church. Mr. Maurice O. Ray, Jr., 1201 Edgewood Drive, made the \$200 deposit required before bidding, and then bid \$200 for the house. There were no other qualified bidders present. City Manager Graves said that house was the best one the City has had for sale and asked Mr. Ray if he would make another offer. Mr. Ray made another deposit of \$200 and bid \$1 for the house at 23 North Church if the City would accept the offer for the house at 27 North Church so that the City Council could have both houses removed. Mr. Graves said it could cost the City a considerable amount to have the house at 23 North Church removed if it were not sold. In addition, the contractor is anxious to have the property cleared. Councilman Hunnell moved that the City accept the offer of Mr. Ray for both houses for a total of \$201 subject to the conditions set forth in the notices to bidders. His motion was seconded by Councilman Culbertson and carried unanimously.

PUBLIC HEARINGS

E. LODI AVE.  
LIGHTING DIST.  
ASSESSMENT  
CONFIRMED

RES. NO. 2950  
ADOPTED

The hearing on the East Lodi Avenue Street Lighting District having been continued from the meeting of June 1, 1966, the Mayor asked for a report on the information given by a member of the City staff during a meeting of property owners prior to forming the assessment district. Mr. Graves presented an estimate which had been made by the City's representative and used as a basis for his information to the property owners. According to the estimate the costs were based on the standards and fixtures and no underground wiring was included. As with any assessment district, costs

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of legal advertising, engineering, contingencies, etc., were also included. Mr. Herb Lehr, 1250 Edgewood Drive, one of the property owners involved, said the estimate appeared to be as he understood and he was happy with the job. There was no one else who wished to be heard and the Mayor closed the public portion of the hearing. On motion of Councilman Culbertson, Hunnell second, the City Council adopted Resolution No. 2950 confirming the assessment of \$1.50 per front foot for the East Lodi Avenue Street Lighting District. Mr. Isadore Salaun, 431 East Lodi Avenue, stated he had never seen the estimate before and was told that the City does not show the figures it uses in arriving at an estimate of cost for the property owners.

REZONING NW COR.  
CHEROKEE &  
POPLAR TO C-2  
AND R-4

ORD. NO. 821  
INTRODUCED

Notice thereof having been published in accordance with law, the Mayor called for public hearing on the proposal to rezone the O. D. Kettelman property at the northwest corner of Poplar Street and Cherokee Lane from the C-S Commercial Shopping District to the R-4 Multiple Family Institutional Residential District for the west 110 feet facing on Garfield Street and the balance of the property to the C-2 General Commercial District. Mr. Ralph Lewis, 1800 Normandy, representing Mr. F. D. Benson, said that Mr. Benson plans to move his automobile agency to a location on a portion of the property proposed for C-2 zoning. The portion proposed for R-4 zoning would be used for duplexes or triplexes and would serve as a buffer zone. There were no other persons who wished to speak for or against the proposed rezoning and the Mayor closed the public portion of the hearing. After Council discussion, it was moved by Councilman Brown, Hunnell second, that in accordance with the recommendation of the Planning Commission, Ordinance No. 821 rezoning the property at the northwest corner of Poplar Street and Cherokee Lane to R-4 and C-2 be introduced. The motion carried by unanimous vote.

#### PLANNING COMMISSION

##### PC ACTIONS

At its meeting of June 13, 1966, the Planning Commission took the following actions:

1. Denied a request for rezoning from the C-P Commercial-Professional District to the C-1 Neighborhood-Commercial District for a parcel at the northwest corner of Ham and Kettelman Lanes.
2. Recommended approval of the San Joaquin County Planning Commission's referral for a change in zoning from the I-PA Interim-Protected Agricultural District to the C-2 Community-Commercial District for four parcels at the southeast corner of Kettelman Lane and Cherokee Lane.
3. Approved a request for a variance to reduce the required yard area to zero feet to permit the construction of a shade cover for a retail nursery at the southwest corner of Elm Street and Ham Lane in a C-1 area.

#### COMMUNICATIONS

SAFETY COUNCIL  
RE DRIVEWAY AT  
NE CORNER OF  
KETTLEMAN AND  
HUTCHINS

A letter was read from the Lodi District Safety Council, Barry W. Damer, President, requesting that the corner driveway exit on Hutchins Street at the MarVal Grocery Store located at the northeast corner of Hutchins and Kettelman be closed. The Safety Council considers

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this driveway creates a dangerous situation. The request was referred to the City Manager for a report.

SAFETY COUNCIL  
RE HAM LANE  
S OF LODI AVE.

A letter from the Lodi District Safety Council concerning the undedicated section of Ham Lane near Lodi Avenue was also read. The Safety Council recommended that the Council make whatever correction possible to the status of this section to insure more safety to all concerned. A four-way stop at this intersection was also recommended. The undedicated right of way abutts undeveloped property. City policy is to accept a street right of way after improvement by the property owner which occurs at such time as the property is developed. Nothing is being done concerning this intersection until the traffic survey being prepared by Dr. Faustman has been received. Mr. Graves said he would answer the Safety Council concerning the undedicated right of way and intersection.

SISTER-CITY  
CONFERENCE

A communication from the League Committee on International Municipal Cooperation notified the Council of the Tenth Annual Conference of the Sister City Movement to be held in Washington, D. C. September 11-13, 1966. The communication was ordered referred to the Sister-City Committee.

G. AMBURN  
RE REFUND  
OF GARBAGE FEES

A letter was read from Mrs. Gladys Amburn, 360 South Sunset Drive, stating that she had been overcharged on her garbage service fees for the past ten years. She had discovered the error recently and brought it to the attention of the City and the Sanitary City Disposal Company. In her letter Mrs. Amburn claimed Mr. Vaccarezza of the Disposal Company had agreed to reimburse her but had not done so to date. City Manager Graves pointed out that in accordance with City policy Mrs. Amburn had been refunded by the City on the overcharge for the previous twelve months. Any further refund would probably be questioned by the auditor because of lack of proof she did not receive the service. Members of the Council were in agreement that the present policy should stand, that no further refund should be made by the City, and that the matter of reimbursement by the Disposal Company should be resolved between Mrs. Amburn and the company. Mrs. Amburn was to be so notified.

J.J.McFALL RE  
CURBSIDE MAIL  
DELIVERY

A communication was received from Congressman John J. McFall to the effect that the Council's resolution re curb-side mail boxes had been received, that a subcommittee of the House Appropriations Committee is making an investigation of the Post Office Department's regulations concerning curbside mail delivery, and that he would advise the Council of further developments.

ABC LICENSES

The following notices of Application for Alcoholic Beverage License were received:

1. Person to Person Transfer, On Sale Beer, & Wine, for Fidel Hernandez, El Tropical, 121 N. Sacramento Street.
2. Person to Person Transfer, On Sale General, Rainbow Club, 116 N. Sacramento Street.

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AMENDMENT TO  
CVD BY-LAWS

Mr. Graves presented a proposed resolution which is to be discussed at the June 23 meeting of the Executive Committee, Central Valley Division, League of California Cities. The resolution would amend the By-Laws of the Central Valley Division and thereby require that resolutions be submitted to the Executive Committee one month prior to the quarterly meeting at which the resolution is requested to be presented. Members of the Council approved the proposed resolution and instructed that an affirmative vote be made thereon.

AMBULANCE  
RATES

A letter was read from the Lodi Ambulance Service requesting approval of increase in ambulance rates. More paper work in connection with the Medicare Program was cited as a reason for the request. Members of the Council had no objection to the new schedule of rates as presented and in accordance with the City Code they will therefore become effective in 30 days.

BANK OF  
AMERICA RE  
PROPERTY  
EXCHANGE IN  
PARKING DISTRICT  
NO. 1RES. NO. 2951  
ADOPTED

Mr. Graves stated that the Bank of America wished to exchange property fronting on Church Street and west of the City's parking lot at the rear of the present bank building for said parking lot, i.e., exchange Lot 3 for Lot 7 in Block 9, City of Lodi. The parking lot being in Parking District No. 1, City Attorney Mullen had contacted the legal counsel for the District for a determination as to whether such action would be legal and had been advised that exchange could be made by following certain procedures. Mr. A. A. Cristofani, local manager of Bank of America, stated the parking area if owned by the bank would be available for public parking at all times except once a year when it would be necessary to close it for legal reasons. Councilman Culbertson moved that the matter be set for public hearing on July 6, 1966. The motion died for lack of a second. Mr. Mullen said the exchange, if made, would be at no cost to the City and that the requirements of the City, including surfacing and landscaping, should be incorporated into an agreement with the bank. City Manager Graves said these costs would also include attorney's fees resulting from the exchange. Mr. Graves presented a resolution which had been prepared by the legal counsel for the parking district. Members of the Council objected to the first paragraph of the resolution which stated the Council does preliminarily determine that the parking lot is no longer required and expressing the Council's intention to exchange said property. Their feeling was that they had received a request from the bank and would hold a public hearing thereon to get the views of property owners in the parking district before making any determination. Mr. Graves stated the resolution could be rephrased so as to leave out the part to which the Council objected. Councilman Culbertson moved the adoption of Resolution No. 2951 setting the public hearing for the proposed exchange of properties in Parking District No. 1 (with no preliminary determination) for July 6, 1966. The motion was seconded by Councilman Brown and carried by unanimous vote. City Attorney Mullen said he would reword the resolution and then contact the parking district attorneys for approval. Ways of notifying the property owners in the district were discussed and it was decided that in addition to the legal advertisement, feature stories in the newspapers would be sufficient.

MINUTES OF  
JULY 20, 1966

## RECESS

The Mayor declared a ten-minute recess and the Council reconvened at 10 p.m.

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CHAMBER OF  
COMMERCE RE  
CHEROKEE LANE  
IMPROVEMENT

A letter was read from Mr. Les Dabritz, Manager of the Lodi District Chamber of Commerce, stating that the Chamber was requesting the City Council to direct the City staff to develop two sets of estimated lighting costs for Cherokee Lane from Vine Street north to Pioneer Drive. One, for the cost of lights along the sidewalks and another for overhead lights to be installed in a proposed divider strip down the middle of the street. The Chamber further requested that the City Council direct the staff to prepare the estimated cost of improving Cherokee Lane from Vine Street north to Pioneer Drive, including the estimated cost of curbs, gutters and other improvements to conform with the City's current improvement plan from Vine Street south. The letter stated also that the Chamber Civic Affairs Committee through a special sub-committee has been working with Cherokee Lane merchants and property owners for the past two years in an effort to develop ideas and interest for the improvement of Cherokee Lane. Mr. Graves said the first request, for estimates on street lights, would be no problem, but that the second request would be more difficult as a plan for the southern part of Cherokee Lane has not been completed. Mr. Paul Tritenbach, who is designing the south end of Cherokee Lane, said it would not take him too long to design a preliminary plan for the entire length of the street if he could get an aerial map of the area. He could then give the merchants a general estimate of the cost. Mrs. Esther Lund, Chairman of the Chamber Civic Affairs Committee, said the merchants had in mind a divider strip with lights down the center, but it depended on the cost. They were willing to form an improvement district when estimates were available. Councilman Culbertson said perhaps Mr. Tritenbach could give the Council an idea of what would be involved in making preliminary plans for the entire length of the street and amount of his fee at the next Council meeting.

REPORTS OF THE CITY MANAGER

CLAIMS

Claims in the amount of \$1,209,656.53 were approved on motion of Councilman Culbertson, Brown second.

AWARD -  
CURB, GUTTER  
& SIDEWALK

The following bids were received on the curb, gutter, sidewalk and driveway construction project:

RES. NO. 2952  
ADOPTED

William Burkhardt	\$13,988.30
Claude C. Wood Co.	16,029.50

On motion of Councilman Brown, Culbertson second, the City Council adopted Resolution No. 2952 awarding the contract for the above project to the low bidder, William Burkhardt for \$13,988.30.

BASIN B-2  
LANDSCAPING

Mr. Paul Tritenbach presented plans for landscaping Basin B-2. The theme of the Mother Lode area was used for this basin-park. Upon completion of the presentation, Councilman Culbertson moved that the general landscape plans for Basin B-2 be approved. His motion was seconded by Councilman Brown and carried unanimously.

CIVIC CENTER  
PURCHASE -  
19 N. CHURCH

City Attorney Mullen reported negotiations for the purchase of the Knight property at 19 North Church Street had been completed and that Mr. Knight had agreed to sell to the City for \$27,500 which was the same price as paid for the Eddlemon property. On motion of Councilman Brown, Hunnell second, the City Council ~~approved purchase of the property~~ at 19 North Church Street for \$27,500.

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DISPOSAL OF  
HOUSES

Mr. Graves recommended that the Administration be authorized to dispose of the buildings at 19 North Church without advertising and also the Carey house on Elm Street which will be vacated by June 30. He suggested that sealed bids be accepted for removal or destruction of the buildings. On motion of Councilman Culbertson, Brown second, the Council authorized the Administration to proceed with disposition of the buildings on Church Street and the Carey house on Elm at its discretion.

SALE OF USED  
POLICE CARS

Mr. Graves said that one police car had been sold at the \$1200 price agreed upon at the previous Council meeting, but that four cars remain to be sold. A bid had been received from Huston Ketcherside, 2443 Corbin Lane, offering a total of \$2,000 for three of the cars, but Mr. Graves felt the City could do better. He recommended that an offer be obtained from a wholesaler and that the Finance Director then dispose of the cars for no amount lower than the wholesaler's price. Councilman Culbertson moved that the bid of Mr. Ketcherside be rejected and that the Finance Director be authorized to dispose of the remaining cars at or above the bid price of the wholesaler. His motion was seconded by Councilman Brown and carried.

HIRING OF  
DELTA COLLEGE  
STUDENTS  
THRU EOA

In connection with the Economic Opportunity Act, San Joaquin Delta Junior College has informed the City Manager that up to five college students could be made available to the City for a work-training program. The students would be paid \$1.50 per hour of which amount the City would pay 10% and also workmen's compensation insurance coverage. The cost would be around \$1,000 a year to the City. Mr. Graves presented a proposed agreement between the City and the College for the employment of students under the EOA program. Councilman Brown said the City could get along without this program and Mayor Walton said the City would be committing itself if it went into the program. Councilman Hunnell did not agree that the City would be committing itself to continued use of the program if the agreement were signed. He pointed out that if the City had use for some of the students, it would only be paying 10% of their salary. Councilman Culbertson was of the opinion that the City should not get involved in the program and he moved that the agreement not be approved and that the City write the College to inform them that if they have students they wish to recommend and if the City has use for them, the City will pay the entire wages of the students. The motion died for lack of a second. Councilman Culbertson then moved that the agreement not be approved. His motion was seconded by Councilman Brown and carried with Councilman Hunnell voting no.

TERMITE  
CONTROL FOR  
PUBLIC SAFETY  
BUILDING

Mr. Byng Forsberg has contacted Mr. Graves in regard to providing termite control for the Public Safety Building. Mr. Graves said that Mr. Varner had not been impressed with the need for this work, but Mr. Graves recalled that termites had been found in the City Hall building so felt some consideration should be given to Mr. Forsberg's proposal. The estimate made by Mr. Forsberg was \$259.00. Councilman Culbertson moved that action be deferred to the next Council meeting to get an opinion from Director of Public Works Jones. His motion died for lack of a second. After further discussion, Councilman Culbertson moved that the termite protection be

## Minutes of June 15, 1966 continued

authorized provided Mr. Varner and Mr. Jones concurred. The motion was seconded by Councilman Brown and carried unanimously.

CONDEMNATION  
PROCEEDINGS -  
THORNTON RD  
DISPOSAL SITE

RES. NO. 2953  
ADOPTED

City Attorney Mullen recommended that the Council adopt a resolution authorizing him to proceed with condemnation of 230 acres of the Red House Ranching Company adjacent to the City's Thornton Road disposal site. Mr. Mullen is negotiating with the company for this property but would like to have authorization to start condemnation in the event it becomes necessary. It would also be advantageous to the company tax-wise if condemnation is authorized. On motion of Councilman Culbertson, Walton second, the City Council by unanimous vote adopted Resolution No. 2953 authorizing condemnation of the Red House Ranching Company property for expansion of the disposal site.

## ORDINANCES

1965 EDITION  
NATIONAL ELECT.  
CODE ADOPTED

ORD. NO. 817  
ADOPTED

ORDINANCE NO. 817, entitled "AN ORDINANCE ADOPTING BY REFERENCE THE NATIONAL ELECTRICAL CODE, 1965 EDITION, AND THEREBY REGULATING THE INSTALLATION, ALTERATION, OR ADDITION OF ELECTRICAL WIRING, DEVICES, APPLIANCES, OR EQUIPMENT IN THE CITY OF LODI," having been introduced at the regular meeting of June 1, 1966, was brought up for passage on motion of Councilman Brown, Culbertson second. Second reading was omitted after reading by title and the ordinance was then passed, adopted and ordered to print by the following vote:

AYES: Councilmen - BROWN, CULBERTSON, HUNNELL  
and WALTON

NOES: Councilmen - None

ABSENT: Councilmen - KIRSTEN

REZONING  
830 AND 831  
S. CENTRAL  
TO C-1

ORD. NO. 819  
ADOPTED

ORDINANCE NO. 819, entitled "AMENDING THE OFFICIAL DISTRICT MAP OF THE CITY OF LODI AND THEREBY REZONING PROPERTY AT 830 AND 836 SOUTH CENTRAL AVENUE TO BE IN THE C-1 NEIGHBORHOOD COMMERCIAL DISTRICT," having been introduced at the regular meeting of June 1, 1966, was brought up for passage on motion of Councilman Brown, Culbertson second. Second reading was omitted after reading by title and the ordinance was then passed, adopted and ordered to print by the following vote:

AYES: Councilmen - BROWN, CULBERTSON, HUNNELL  
and WALTON

NOES: Councilmen - None

ABSENT: Councilmen - KIRSTEN

PREZONING  
1581 S. STOCKTON  
TO M. INDUSTRIAL

ORD. NO. 820  
ADOPTED

ORDINANCE NO. 820, entitled "PREZONING PROPERTY ON THE WEST SIDE OF STOCKTON STREET APPROXIMATELY 600 FEET SOUTH OF KETTLEMAN LANE TO BE IN THE "M" INDUSTRIAL DISTRICT," having been introduced at the regular meeting of June 1, 1966, was brought up for passage on motion of Councilman Hunnell, Brown second. Second reading was omitted after reading by title and the ordinance was then passed, adopted and ordered to print by the following vote:

Minutes of June 15, 1966 continued

AYES: Councilmen - BROWN, CULBERTSON, HUNNELL  
and WALTON

NOES: Councilmen - None

ABSENT: Councilmen - KIRSTEN

#### 1966-67 BUDGET

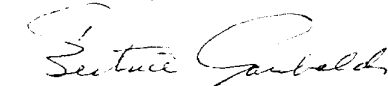
The City Manager's budget memorandum of June 13, 1966 having been sent to the members of the Council with the agenda, the Manager presented it for discussion at this time. While reviewing increased operating costs, Mr. Graves called the Council's attention to the fact that Library personnel had been included in the General Fund pension costs, primarily to facilitate bookkeeping for SERS, but also because it would take some pressure off the Library tax rate which has not provided sufficient revenue for the past two years. Mr. Graves gave an explanation of the changes which he recommended in the water and sewer operation so that all the work would be done under the supervision of the Public Works Department instead of having one crew in the Utilities Department and two in the Public Works Department, each with different supervision. In order to get more efficiency and control he recommended adding a Water and Sewer Supervisor to the Public Works staff who would be responsible for the operation of the water and sewer crews. He also cited the need for three additional engineers in the Public Works Department. (Further discussion of the budget was continued to June 22.)

#### APPOINTMENTS

Mayor Walton stated that Judge Bainbridge had indicated he was willing to continue service on the Library Board of Trustees and asked the Council if that was their pleasure. On motion of Councilman Brown, Hunnell second, Judge Bainbridge was reappointed to the Library Board for a three-year term beginning July 1, 1966.

#### ADJOURNMENT

On motion of Councilman Brown, Hunnell second, at 12 midnight the Council adjourned to June 22, 1966.



Attest: BEATRICE GARIBALDI  
City Clerk